

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

EDWARD A. SCHERDER, DMD
and EDWARD A. SCHERDER,
DMD, PA,

Plaintiffs,

v.

Case No. 2:20-cv-697-FtM-66NPM

ASPEN AMERICAN INSURANCE
COMPANY,

Defendant.

ORDER

Before the Court is the (unopposed) Motion to Appoint Mediator (Doc. 32). At the Preliminary Pretrial Conference held on December 3, 2020, the Court required the parties to name a mediator within two weeks of the conference. (Doc. 26). In the motion, Defendant Aspen American Insurance Company (“Aspen”) reports the parties are unable to agree upon a mediator.

Aspen proposed Gerald Albrecht as a mediator, Plaintiff agreed but with certain inappropriate conditions, and Aspen demurred. (*Id.*, p. 1). The parties have been unable to agree on any other mediator. Mindful of its obligations to the Court, Aspen moved for the appointment of a mediator without conditions. Plaintiff failed to respond to the motion, so the Court deems the motion unopposed.

Therefore, the Court grants the (unopposed) Motion to Appoint Mediator (Doc. 32) and refers this action to certified mediator Gerald Albrecht for mediation consistent with the Court's Local Rules and provisions of the Case Management and Scheduling Order (Doc. 28).

DONE and **ORDERED** in Fort Myers, Florida on January 4, 2021.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE